

Application Serial No.: 09/774,177
Reply to Office Action dated June 2, 2004

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 17-25 are presently active in this case, Claims 17, 18, 21, 22, 24, and 25 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 17-25 were rejected under 35 U.S.C. 102(b) as being anticipated by Bolen et al. (U.S. Patent No. 3,936,558). Claim 23 was also rejected under 35 U.S.C. 103(a) as being unpatentable over the Bolen et al. reference. For the reasons discussed below, the Applicant requests the withdrawal of the art rejections.

Independent Claims 17, 18, 21, 22, 24, and 25 recite a mat comprising, among other features, at least one first layer of at least one strand formed of filaments that are at least partly opened by subjecting the at least one first layer to a flow of fluid, and at least one second layer of at least one intact strand formed of filaments that are not opened, wherein the at least one second layer is not subjected to the flow of fluid. The Applicant submits that the Bolen et al. reference does not teach or suggest such a mat.

The Bolen et al. reference describes a fibrous body that includes at least two layers of strands of continuous filaments and binder particles in each layer. The fibrous body is formed by laying down layers of groups (58) of strands (28) on a conveyer (61). Figure 5 depicts a mat (60) that incorporates upper and lower surface layers (80) of light strands and a central body portion (82) of heavier strands. The mat (60) leaves the strand deposition position area and is conducted through a binder application area. At a first liquid impingement or flooding station (170), a liquid suspension material (174) is distributed evenly across the mat-like

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collection of strands. A second liquid impingement station (180) is spaced a distance from the first impingement and flooding station (170).

Pages 3-5 of the Official Action cite several portions of the Bolen et al. reference for the purported teaching of at least one intact strand formed of filaments that are not opened. The Applicant notes, however, that the Bolen et al. reference clearly does not teach a mat comprising at least one second layer of at least one intact strand formed of filaments that are not opened, wherein the at least one second layer is not subjected to a flow of fluid used to at least partly open at least one first layer. Even assuming for the sake of argument that the Bolen et al. reference does describe a layer that is not opened, the Bolen et al. reference does not describe that such a layer is not subjected to a flow of fluid used to open other layers in the mat. In the Bolen et al. reference, all of the layers of strands (described repeatedly as a multi-layer mat-like mass or mat-like collection of strands) are provided onto the conveyer (61), and then binder, etc. is applied to all the layers. Accordingly, all of the layers of strands are subject to the binder and other fluids used during opening of the strands, regardless of whether the opening of any individual layer is subject to an opening to a different degree than any other layer. To the contrary, the present invention advantageously provides a mat comprising at least one second layer of at least one intact strand formed of filaments that are not opened, *wherein the at least one second layer is not subjected to a flow of fluid used to at least partly open at least one first layer.* Such a configuration is not taught or suggested by the Bolen et al. reference.

The Applicant submits that since the Bolen et al. reference does not teach all of the limitations recited in Claims 17, 18, 21, 22, 24, and 25, then these claims are not anticipated

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by the Bolen et al. reference. Accordingly, the Applicant requests the withdrawal of the anticipation rejection of Claims 17, 18, 21, 22, 24, and 25.

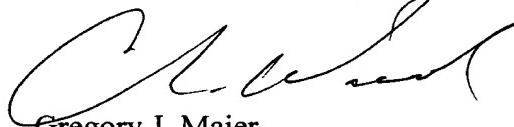
Claims 19 and 20 are considered allowable for the reasons advanced for Claim 18 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 18.

Claim 23 is considered allowable for the reasons advanced for Claim 22 from which it depends. This claim is further considered allowable as it recites other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 22.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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